

Planning and Zoning Commission Meeting Minutes of December 13, 2016:

16-329Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C1" - Neighborhood Commercial District, Located on the Northeast Corner of Collin McKinney Parkway and Westport Drive

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was requesting to rezone the subject property from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "C1" – Neighborhood Commercial District generally to allow for commercial uses. Ms. Spriegel stated that the applicant requested to rezone to "C1" – Neighborhood Commercial District to allow for retail uses to be developed on the subject property, although the existing zoning allows for retail uses the "REC" – Regional Employment Center Overlay requires a 55' rear yard setback to encourage development in an urban form; whereas, the applicant would like to develop the property in a suburban form. She stated that as a primarily commercial zoning district the proposed zoning of "C1" – Neighborhood Commercial District maintains the intent of the existing zoning. Ms. Spriegel stated that "C1" – Neighborhood Commercial District was more restrictive than the current zoning, meaning it provides for less intensive commercial development, which is more appropriate for the area given the surrounding residential uses. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions.

Commission Member Mantzey asked about the setback differences between the current and requested zoning from the residential uses to the north. Ms. Spriegel stated that the “C1” – Neighborhood Commercial District does not have a rear setback; however, they will have a 10’ landscape buffer with canopy trees planted 1 per 40 linear feet and also a 6’ masonry screening wall. She stated that this allows the parking to be located in the front, while the current zoning has a 55’ rear yard setback to encourage the building to front onto the street and for parking to be located in the rear.

Commission Member Mantzey asked if under the current zoning the surrounding residential properties would be approximately 50’ from a building on the subject property with a parking lot between them and the building. Ms. Spriegel said yes.

Commission Member Mantzey asked if under the proposed zoning the building could be located approximately 10’ from the property line beside the residential properties. Ms. Spriegel said yes.

Commission Member Mantzey asked if the surrounding residential property owners had issues with the proposed drive-thru on the nearby corner property that was recently rezoned to “C1” – Neighborhood Commercial District. Ms. Spriegel said yes.

Mr. Juan Vasquez, 1919 S. Shiloh Road, Garland, TX, explained the proposed rezoning request. He stated that they are proposing to have a retail product on the subject property that would have a fire lane behind the building. Mr. Vasquez stated that there would not be much difference in the distance from the proposed building and the surrounding residential properties. He stated that the distance between the proposed building and the surrounding residential properties might be approximately 40’. Mr. Vasquez stated that they were not proposing to have a drive-thru on the subject property.

He stated that they needed a relief to make a standard building depth fit on the lot, which would be within the perimeters of the “C1” – Neighborhood Commercial District. Mr. Vasquez offered to answer questions.

Vice-Chairman Zepp asked if there would be any parking located in the rear of the property. Mr. Vasquez stated that there might be a few spaces in the rear of the property; however, most of the parking would be located in the front of the property for the retail use. He also stated that the property was oddly shaped; the property pinched at the eastern corner creating issues with the 55’ dimension.

Commission Member Smith asked if they were just needing flexibility due to the configuration of the lot. Mr. Vasquez stated that was correct and that it would match what the developer did to the nearby property on the corner with the “C1” – Neighborhood Commercial District zoning.

Commission Member Smith stated that the applicant was proposing a less intensive use for the subject property. Mr. Vasquez stated that was correct. He also stated that they own the property across the street and the developer was invested in the area.

Commission Member Mantzey asked where the fire lane was located on the nearby property on the corner. Mr. Vasquez stated that he had not studied their plan in depth. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that he believed that the fire lane on the other property went along Lake Forest, continued down the front of the property along Collin McKinney, and then exited off at Westport; therefore, it went along the front of their property. Mr. Vasquez stated that due to the size of the proposed building and lot size that they would be required to have a fire lane access all

around the building on the subject property; therefore, they would also be required to have a fire lane in the rear of the subject property. He stated that they proposed to have shared fire lane access with the middle lot.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Zepp, seconded by Alternate Commission Member McReynolds, the Commission unanimously approved the motion to close the public hearing, with a vote of 7-0-0.

Commission Member Mantzey stated that his concerns about reducing the space between commercial and residential uses had been addressed. He stated that he was fine with the request.

On a motion by Vice-Chairman Zepp, seconded by Commission Member Smith, the Commission voted unanimously to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on January 3, 2017.